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NORTHERN DISTRICT OF OHIO
CLEVELAND

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LAREDO NATIONAL)	CASE NO. 00 CV 2081
BANCSHARES, INC., et al.,)	
)	
Plaintiffs,)	JUDGE WELLS
)	
vs.)	<u>DEFENDANT'S SECOND MOTION</u>
)	<u>TO EXTEND TIME TO MOVE OR</u>
DONALD E. SCHULZ,)	<u>PLEAD TO THE COMPLAINT</u>
)	
Defendant.)	

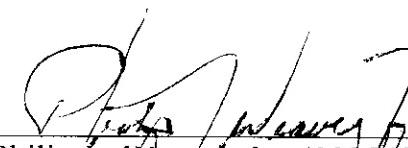
Defendant, Donald E. Schulz, respectfully moves this court for an order extending the time within which he may move or plead to the Complaint. Defendant has previously been granted one twenty-day informal extension by Plaintiffs' counsel and one formal twenty-day extension through motion granted by the court. The current answer day is October 16, 2000.

The undersigned submits this motion on Defendant's behalf, not for the purpose of entering a general appearance in this case, but solely for the purpose of protecting the answer day so that Defendant may explore means to finance his defense, including but not

limited to seeking intervention by the Pentagon and/or Department of Justice to provide Defendant with a defense or to substitute itself as the real party in interest in this case. The undersigned has engaged in settlement discussions with Plaintiffs' counsel, but settlement at this time is not possible.

This motion is not made for the purposes of delay, but rather is made because Defendant believes the claims asserted herein are baseless, and he desires to present a defense that he cannot personally afford. This seemingly routine motion is not routine because of the nature of this litigation. Crucial to an understanding of the importance of this motion is certain background information set forth in the accompanying brief in support that is attached hereto and incorporated herein. On the basis thereof, Defendant respectfully requests an extension of time for an additional sixty days until December 15, 2000 within which to move or plead to the Complaint.

Respectfully submitted,



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(216) 781-4994

Attorney for Defendant

BRIEF IN SUPPORT OF DEFENDANT'S SECOND MOTION
TO EXTEND TIME TO MOVE OR PLEAD TO THE COMPLAINT

Donald Schulz is a political scientist with a national and international reputation on U.S.-Latin American security issues. Dr. Schulz has published numerous academic books and professional articles on Latin American civil-military relations, has testified before U.S. Congress and has made presentations to various high-level Latin-American political and military officials. Dr. Schulz is presently the Chairman of the Cleveland State University Political Science Department.

At the time of the Complaint's allegations, Dr. Schulz worked as a Latin-American research professional at the United States Army War College's Strategic Studies Institute, the Army's strategic-level think tank on military and national security affairs. At the time of the Complaint's allegations, the Strategic Studies Institute had assigned Dr. Schulz to study the historical relationship between narcotics and influential Mexican nationals for the purpose of making recommendations for United States policy and strategy decision making. It was in connection with that research that Dr. Schulz requested and obtained from the National Drug Intelligence Center a copy of its executive summary concerning its Operation White Tiger report, which summarized an extensive study done by the National Drug Intelligence Center concerning drug trafficking in Mexico and which focused on the Hank Group from Mexico.

Contrary to the Complaint's allegations, and without attempting to rebut each allegation therein, Dr. Schulz contends that he has not individually, or in conspiracy with others, provided the National Drug Intelligence Center with false information, has not

stolen the National Drug Intelligence Center's Operation White Tiger executive summary, and has not individually, or in conspiracy with others, systematically caused the executive summary to be leaked to journalists for publication. In other words, Dr. Schulz contends that he is not liable to the Plaintiffs for any of the claims being asserted. From Dr. Schulz' perspective, this lawsuit represents an attempt to intimidate and deter U.S. government researchers, academics and journalists from doing their jobs as protected by the First Amendment rights of free speech and press.

Dr. Schulz, a lone college professor, is now faced with the prospects of mounting a defense against one of the most powerful and wealthy families in Mexico-the Hank family as referenced in the seventeenth paragraph of the Complaint. Dr. Schulz on a teacher's salary cannot adequately fund his defense. Among others, Dr. Schulz has contacted the Pentagon and Department of Justice through the United States Army War College seeking either a defense or having the Pentagon or Department of Justice substituted as the real party in interest. Dr. Schulz' request is being processed. Given the inevitable bureaucratic delay, an answer is not expected soon.

For the aforementioned reasons, Dr. Schulz respectfully requests an extension of time to move or plead to the Complaint for an additional sixty days or until December 15, 2000. An affidavit in support of this motion is attached hereto.

Respectfully submitted,



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Attorney for Defendant

CERTIFICATE OF SERVICE

A copy of the foregoing Defendant's Second Motion to Extend Time to Move or Plead to The Complaint has been served by regular U.S. mail, postage prepaid, on this 16th day of October, 2000 upon Patrick M. McLaughlin, Esq., Attorney for Plaintiffs, Ohio Savings Plaza, Suite 740, 1801 East 9th Street, Cleveland, Ohio 44114-3198.



Philip J. Weaver, Jr.

STATE OF OHIO)
) SS. AFFIDAVIT OF DONALD E. SCHULZ
COUNTY OF CUYAHOGA)

I, DONALD E. SCHULZ, having been first duly sworn, depose and state that I have read the Defendant's Second Motion to Extend Time to Move or Plead to The Complaint and the contents thereof are true to the best of my knowledge and belief.

FURTHER AFFIANT SAYETH NAUGHT.

Donald E. Schulz
DONALD E. SCHULZ

SWORN TO BEFORE ME and subscribed in my presence this 11th day of October, 2000.

Ronald J. Waite, Jr.
NOTARY PUBLIC